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Attorneys for Plaintiff
9 UNITED STATES OF AMERICA

10 UNITED STATES DISTRICT COURT

11 FOR THE CENTRAL DISTRICT OF CALIFORNIA

12 UNITED STATES OF AMERICA,

13 Plaintiff,

14 v.

15 ANTHONY DAVID FLORES,
aka "Anton David," and
16 ANNA RENE MOORE,

17 Defendants.
18
19

No. 2:22-CR-00593-PA

STIPULATION REGARDING REQUEST FOR
(1) CONTINUANCE OF TRIAL DATE AND
(2) FINDINGS OF EXCLUDABLE TIME
PERIODS PURSUANT TO SPEEDY TRIAL
ACT

CURRENT TRIAL DATE:

May 9, 2023

PROPOSED TRIAL DATE:

March 19, 2024

20 Plaintiff United States of America, by and through its counsel
21 of record, the United States Attorney for the Central District of
22 California and Assistant United States Attorney Andrew M. Roach, and
23 defendant Anna Rene Moore ("defendant Moore"), both individually and
24 by and through her counsel of record, Deputy Federal Public Defender
25 Charles J. Snyder, and defendant Anthony David Flores, also known as
26 "Anton David" ("defendant Flores"), both individually and by and
27 through his counsel of record, Ambrosio E. Rodriguez, hereby
28 stipulate as follows:

1 1. The Indictment in this case was made public on
2 January 31, 2023.

3 2. Defendant Moore first appeared before a judicial officer of
4 the court in which the charges in this case were pending on February
5 28, 2023. The Speedy Trial Act, 18 U.S.C. § 3161, originally
6 required that defendant Moore's trial commence on or before
7 May 9, 2023. On February 28, 2023, the Court set a trial date of
8 April 25, 2023 for defendant Moore.

9 3. Defendant Flores first appeared before a judicial officer
10 of the court in which the charges in this case were pending on
11 March 13, 2023. The Speedy Trial Act, 18 U.S.C. § 3161, originally
12 required that defendant Flores's trial commence on or before May 22,
13 2023. On March 13, 2023, the Court set a trial date of May 9, 2023
14 for defendant Flores.

15 4. On March 17, 2023, the Court, on its own motion, continued
16 the trial date of defendant Moore to May 9, 2023 and found the time
17 period of April 25, 2023 to May 9, 2023, inclusive, to be excluded
18 for purposes of computing the trial date under the Speedy Trial Act
19 pursuant to 18 U.S.C. § 3161(h)(6), as this delay amounted to a
20 "reasonable period of delay" where defendant Moore is joined for
21 trial with defendant Flores and no motion for severance has been
22 granted.

23 5. Both defendant Moore and defendant Flores are detained
24 pending trial. The parties estimate that the trial in this matter
25 will last approximately seven to ten days.

26 6. By this stipulation, defendants move to continue the trial
27 date to March 19, 2024, and the status conference to March 11, 2024.

1 This is the first request for a continuance for defendants Flores and
2 Moore.

3 7. Defendants request the continuance based upon the following
4 facts, which the parties believe demonstrate good cause to support
5 the appropriate findings under the Speedy Trial Act:

6 a. Defendants are charged with violations of 18 U.S.C.
7 § 1349 (Conspiracy to Commit Wire Fraud and Mail Fraud); 18 U.S.C.
8 § 1343 (Wire Fraud); 18 U.S.C. § 1341 (Mail Fraud); 18 U.S.C. § 1028A
9 (Aggravated Identity Theft); 18 U.S.C. § 1956(h) (Conspiracy to
10 Engage in Money Laundering); 18 U.S.C. § 1956(a)(1)(B)(i) (Laundering
11 of Monetary Instruments); 18 U.S.C. § 1957(a) (Engaging in Monetary
12 Transactions in Property Derived from Specified Unlawful Activity);
13 and 18 U.S.C. § 2(b) (Causing an Act to Be Done).

14 b. The government has produced discovery to the defense,
15 including over 230,000 pages of discovery, compromising of, among
16 other things:

17 i. Lengthy transcripts from 10 different depositions
18 in the civil action that the victim's family filed against defendants
19 (the "Civil Action"), including seven days of deposition testimony
20 from defendants;

21 ii. Numerous filings from the Civil Action;

22 iii. The underlying document productions and written
23 discovery produced in the Civil Action;

24 iv. Document productions from attorneys representing
25 victim's family in the Civil Action;

26 v. Lengthy videos and recordings relating to various
27 financial transactions and other events underlying the indictment;
28 and

1 vi. Numerous financial documents relating to the
2 fraud.

3 c. The government is currently arranging a production of
4 another approximate 200,000 pages of discovery to the defendants,
5 including additional productions from attorneys representing the
6 victim's family members in the Civil Action, the court-appointed
7 receiver in the Civil Action, and additional discovery obtained
8 during the investigation.

9 d. Due to the nature of the prosecution, including the
10 charges in the indictment and the voluminous discovery produced to
11 defendants, this case is so unusual and so complex that it is
12 unreasonable to expect adequate preparation for pretrial proceedings
13 or for the trial itself within the Speedy Trial Act time limits.

14 e. In addition, defense counsel for defendant Moore is
15 presently scheduled to be in trial in the following cases on the
16 following dates:

17 i. United States v. Zuniga, CR-19-635-FMO, a one-
18 defendant gun-trafficking trial set to begin on April 18, 2023, which
19 is estimated to last approximately four days;

20 ii. United States v. Power, CR-20-15-FMO, a one-
21 defendant anti-kickback trial set to begin on May 9, 2023, which is
22 estimated to last approximately four days;

23 iii. United States v. Valencia, CR 19-311-MWF, a one-
24 defendant felon in possession of firearm and ammunition trial set to
25 begin on May 23, 2023, which is estimated to last approximately four
26 days;

1 iv. United States v. Medina, CR-22-139-MEMF, a two-
2 defendant drug and gun-trafficking trial set to begin June 13, 2023,
3 which is estimated to last approximately four days;

4 v. United States v. Grey; CR-23-31-FMO, a one-
5 defendant gun-possession trial set to begin July 11, 2023, which is
6 estimated to last approximately four days;

7 vi. United States v. Garcia; CR-20-225-DSF, a three-
8 defendant fraud trial set to begin August 8, 2023, which is estimated
9 to last approximately four days; and

10 vii. United States v. Heatherington, CR-13-183-JAK, a
11 four-defendant, securities-fraud trial set to begin on February 6,
12 2024, which is estimated to last approximately 15 days.

13 Accordingly, counsel for defendant Moore represents that he will
14 not be available to try this date on the scheduled trial date and
15 will not have the time that he believes is necessary to prepare to
16 try this case on the current trial date.

17 f. Defense counsel for defendant Flores is presently
18 scheduled to be in a hearing or trial in the following cases on the
19 following dates:

20 i. The People of the State of California v. Rachel
21 Juliussen, Case No. 1LB01550 (Long Beach), a one-defendant vehicular
22 manslaughter trial set to begin on April 12, 2023, which is estimated
23 to last two weeks;

24 ii. The People of the State of California v. Michael
25 Telles, Case No. KA124009 (Pomona), a three-defendant murder trial
26 set to begin on April 25, 2023, which is expected to last three
27 weeks;

1 iii. The People of the State of California v. Anthony
2 Varela, Case No. VA151785 (Norwalk), a two-defendant murder case
3 which is set for a trial setting conference on May 8, 2023, and is
4 expected begin sometime in June 2023, if it goes to trial;

5 iv. The People of the State of California v. Gerardo
6 Valencia, Case No. RIF2003401 (Riverside), a one-defendant case
7 involving multiple counts of a lewd act on a child which is set to
8 begin on May 31, 2023;

9 v. United States v. Luis Ruvalcaba, Case No. 2:18-
10 cr-00705-JAK (C.D. Cal.), for sentencing on April 6, 2023;

11 vi. United States v. Jose A. Lopez-Isidro, Case No.
12 3:19-cr-00326-DMS (S.D. Cal.), for sentencing on April 7, 2023;

13 vii. The People of the State of California v. Ornel
14 Pulido, Case No. FWV210000731, for a preliminary hearing in a
15 controlled substance case on April 16, 2023;

16 viii. The People of the State of California v.
17 Sibghatallah Nawaz, Case No. 37-2022-00014418-CU-HR-CTL (San Diego),
18 set for trial on April 19, 2023, which is expected to last three to
19 four days;

20 ix. United States v. Juan Herrera, Case No. 2:17-CR-
21 00278-ODW, for sentencing on May 8, 2023;

22 x. The People of the State of California v.
23 Jacqueline Ramirez, Case No. RIF2104214, for sentencing on May 22,
24 2023;

25 xi. The People of the State of California v.
26 Jacqueline Ramirez, Case No. BA495274 (Central Courts Building
27 Superior Court), a two-defendant, double-murder case which is set for
28

1 a status conference on April 19, 2023, and a jury trial is expected
2 to be set in late fall 2023 or early 2024 and last two weeks; and

3 xii. The People of the State of California v. James
4 Santistevan, Case No. GA109936 (Alhambra Superior Court), a four-
5 defendant murder case which is set for a status conference on April
6 18, 2023, and a jury trial is expected to be set in early fall 2023
7 and last a month.

8 Accordingly, counsel for defendant Flores represents that he
9 will not have the time that he believes is necessary to prepare to
10 try this case on the current trial date.

11 g. In light of the foregoing, defense counsel also
12 represents that additional time is necessary to confer with
13 defendants, conduct and complete an independent investigation of the
14 case, conduct and complete additional legal research including for
15 potential pretrial motions, review the discovery and potential
16 evidence in the case, and prepare for trial in the event that a
17 pretrial resolution does not occur. Defense counsel represents that
18 failure to grant the continuance would deny them reasonable time
19 necessary for effective preparation, taking into account the exercise
20 of due diligence.

21 h. Defendants believe that failure to grant the
22 continuance will deny them continuity of counsel and adequate
23 representation.

24 i. The government does not object to the continuance.

25 j. The requested continuance is not based on congestion
26 of the Court's calendar, lack of diligent preparation on the part of
27 the attorney for the government or the defense, or failure on the
28

1 part of the attorney for the government to obtain available
2 witnesses.

3 8. For purposes of computing the date under the Speedy Trial
4 Act by which defendants' trial must commence, the parties agree that
5 the time period of May 9, 2023 to March 19, 2024, inclusive, should
6 be excluded pursuant to 18 U.S.C. §§ 3161(h)(7)(A), (h)(7)(B)(i),
7 (h)(7)(B)(ii), and (h)(7)(B)(iv) because the delay results from a
8 continuance granted by the Court at defendants' request, without
9 government objection, on the basis of the Court's finding that:
10 (i) the ends of justice served by the continuance outweigh the best
11 interest of the public and defendants in a speedy trial; (ii) failure
12 to grant the continuance would be likely to make a continuation of
13 the proceeding impossible, or result in a miscarriage of justice;
14 (iii) the case is so unusual and so complex, due to the nature of the
15 prosecution, that it is unreasonable to expect preparation for
16 pretrial proceedings or for the trial itself within the time limits
17 established by the Speedy Trial Act; and (iv) failure to grant the
18 continuance would unreasonably deny defendants continuity of counsel
19 and would deny defense counsel the reasonable time necessary for
20 effective preparation, taking into account the exercise of due
21 diligence.

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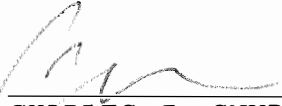
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CERTIFICATION OF DEFENSE COUNSEL FOR DEFENDANT ANNA RENE MOORE

I am Anna Rene Moore's attorney. I have carefully discussed every part of this stipulation and the continuance of the trial date with my client. I have fully informed my client of her Speedy Trial rights. To my knowledge, my client understands those rights and agrees to waive them. I believe that my client's decision to give up the right to be brought to trial earlier than March 19, 2024 is an informed and voluntary one.

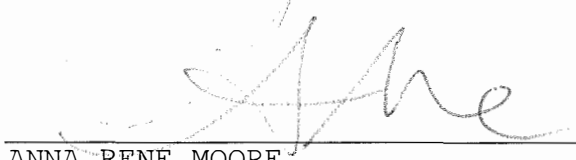

 CHARLES J. SNYDER
 Deputy Federal Public Defender

2/28/23
 Date

Attorney for Defendant
 ANNA RENE MOORE

CERTIFICATION OF DEFENDANT ANNA RENE MOORE

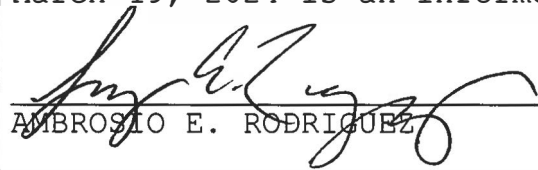
I have read this stipulation and have carefully discussed it with my attorney. I understand my Speedy Trial rights. I voluntarily agree to the continuance of the trial date, and give up my right to be brought to trial earlier than March 19, 2024.


 ANNA RENE MOORE
 Defendant

28 MARCH 2023
 Date

CERTIFICATION OF DEFENSE COUNSEL FOR DEFENDANT FLORES

I am Anthony David Flores's attorney. I have carefully discussed every part of this stipulation and the continuance of the trial date with my client. I have fully informed my client of his Speedy Trial rights. To my knowledge, my client understands those rights and agrees to waive them. I believe that my client's decision to give up the right to be brought to trial earlier than March 19, 2024 is an informed and voluntary one.


AMBROSIO E. RODRIGUEZ

03/22/2023
Date

Attorney for Defendant
ANTHONY DAVID FLORES

CERTIFICATION OF DEFENDANT FLORES

I have read this stipulation and have carefully discussed it with my attorney. I understand my Speedy Trial rights. I voluntarily agree to the continuance of the trial date, and give up my right to be brought to trial earlier than March 19, 2024.


ANTHONY DAVID FLORES
Defendant

3/22/2023
Date